



NEGRO LEAGUES Baseball Museum

R07-05-C-006a

Discover Greatness!

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Executive Director
Don B. Motley

I. Cover letter

November 12, 2004

Mr. Don West
Environmental Management Support, Inc.
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910

Re: Brownfield Cleanup Application
Paseo YMCA project

Dear Mr. West:

On behalf of the Negro Leagues Baseball Museum (NLBM), you will find our Brownfields Cleanup Grant application attached. As requested, a copy has been sent to Ms. Susan Klein, EPA's Region 7 Brownfield Coordinator as well.

Founded in 1990 in a small storefront, the Negro Leagues Baseball Museum moved to a beautiful 10,000 sq ft. facility adjacent to the American Jazz Museum in 1997. NLBM is located across the street from the historic Gem Theatre, which was constructed in 1912 and was originally a movie house for African Americans.

One block from the Gem is the The Paseo YMCA, built in 1914. At the time, it was the centerpiece of the 18th and Vine District, and the link to this vibrant jazz and baseball community by functioning as the hotel for African American visitors to Kansas City. In 1920 the Negro Baseball Leagues were founded at a meeting conducted at the Paseo YMCA.

In 1970 the Paseo Y was shuttered and fell into dereliction. NLBM is currently completing the purchase of the Paseo Y from the Land Clearance Redevelopment Authority of Kansas City, Missouri. It is appropriate that NLBM reclaim this important piece of its heritage.

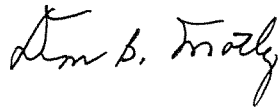
Plans for a \$12 million dollar renovation and expansion of the Paseo Y have been drafted. An artist's rendering is attached as "A". The first of many steps toward creating The Buck O'Neil Education and Research Center is ridding the site of regulated contaminants.

The Phase I Environmental Assessment reveals asbestos in various building materials, aviary waste throughout and a single barrel of sludge in the basement. It is in order to complete this important first step that we are requesting Brownfields Cleanup Grant funding.

Our friends and neighbors, community organizations and local governments welcome our willingness to reclaim this site from abandonment. Participation by the EPA in the form of a Brownfields grant will be crucial to the success of our project.

Thank you for considering our request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don B. Motley". The signature is fluid and cursive, with the first name "Don" and last name "Motley" clearly distinguishable.

Don B. Motley
Executive Director

Enclosure: Brownfield Grant Application with attachments
Cc: Ms. Susan Klein

II. Applicant Information

A. Project Title:

The Buck O'Neil Research and Education Center

B. Grant Type:

- 1) Cleanup Grant
- 2) Hazardous Substances

C. Total Amount Requested:

\$187,227 for hazardous substance funding

D. Name of Applicant:

The Negro Leagues Baseball Museum, a not-for-profit organization

E. Project Contact:

Annie Presley Selanders
2405 Grand Boulevard, Suite 900
Kansas City, MO 64108
816-221-3013
816-221-3006
annie@themckellargroup.com

F. Chief Executive of NLBM:

Don B. Motley
Executive Director
816-221-1920
816-221-8424
dmotley@nlbm.com

G. Location:

The Negro Leagues Baseball Museum and the Paseo YMCA
18th and Vine Streets
Jackson County
Kansas City, MO 64108

H. Population:

Jackson County; 659,723 people
18th and Vine District: 56,253 people

I. Other:

NLBM, the Paseo YMCA and the historic 18th and Vine District are all located in a federally designated "Enhanced Enterprise Zone"

Brownfields Cleanup Grant Application
The Negro Leagues Baseball Museum
The Paseo YMCA Project
November 12, 2004

III. Cleanup Grant Criteria

Threshold Criteria for Cleanup Grants

A. Applicant Eligibility

The Negro Leagues Baseball Museum (NLBM) is a non-profit organization. Our 501 (c) 3 documentation is attached as "B".

B. Community Notification

In compliance with this requirement, the NLBM has provided the following opportunities for public comment:

- The NLBM web-site addition
- Purchase of a notification ad in *The Kansas City Call* newspaper dated November 11, 2004
- Notice of proposal posted in four neighborhood churches, the neighborhood community center, bulletin boards in neighborhood apartment buildings and businesses, and to the 18th and Vine District Authority

C. Letter from the State or Tribal Environmental Authority

Attached (see "C") please find the letter from the Missouri Department of Natural Resources acknowledging that NLBM plans to conduct cleanup activities and to apply for Federal grant funds.

D. Site Eligibility and Property Ownership Eligibility

1. Affirmation: The Paseo YMCA is
 - a) not listed nor proposed for listing on the NPL
 - b) not subject to unilateral administrative orders per CERCLA
 - c) not subject to the jurisdiction, custody nor control of the United States government
2. Identify:
 - a) Name of Site: Paseo YMCA
 - b) Address of Site: 1824 Paseo Boulevard, Kansas City, MO 64108
 - c) Contamination of Site: A Phase I Environmental Assessment (see "D") of the Paseo Y confirms the presence of aviary waste, asbestos in the interior ACM, the window caulking and roof flashing, and a drum of sludge in the basement.

- d) Use of Site: the Paseo YMCA was built in 1914 and later abandoned in 1970. It has been left derelict since that time.
 - e) Environmental Concerns at Site: aviary waste, interior ACM, window caulking, and roof flashing contaminated with asbestos, and a drum of sludge in the basement.
- 3. Property-Specific Determination: The applicant has determined that a property-specific determination is not needed.
- 4. Cause, Nature and Extent of Contamination: The Paseo Y was built in 1914 and updated over the years when asbestos was a commonly used building material. Dereliction of the property allowed the build-up of aviary waste.
- 5. Assessment: The Phase I assessment was completed on September 30, 2004. No additional assessment is warranted.
- 6. Enforcement Action: There are no known ongoing nor anticipated environmental enforcement actions related to the Paseo YMCA site.
- 7. Ownership of Paseo YMCA:
 - a) Acquisition: NLBM is purchasing the Paseo YMCA from the Land Clearance use Redevelopment Authority of Kansas City, Missouri within the next 120 days.
 - b) Disposal before Acquisition: disposal has not yet occurred
 - c) All Appropriate Inquiry: Professionals at Kingston Environmental Services in Kansas City, Missouri performed a Phase I Environmental Site Assessment dated September 30, 2004.
 - d) Ownership: The site is presently derelict. Sale of the property from LCRA to NLBM is currently pending.
 - e) Liability: The NLBM is not in any way liable nor affiliated with any person who is potentially liable for contamination at the site.
 - f) Potential Liability: The contamination is the result of aged building materials and subsequent abandonment. There are no known parties considered potentially liable for the contamination of the site.
 - g) Reasonable Steps: Reasonable steps taken to prevent exposure to hazardous substances include limiting access to the property, procurement of Phase I Site Assessment, and creation of a professional remediation plan for cleanup prior to restoration of the building.
 - h) Compliance Cooperation and Commitment: The NLBM confirms its commitment to comply with all land-use restrictions and institutional controls, assist and cooperate in cleanup, comply with all information requests and administrative subpoenas and provide all legally required notices.
- 8. N/A as no petroleum

E. Cleanup Authority and Oversight Structure

- 1. Cleanup Oversight: NLBM has hired Kessinger-Hunter as project manager and Kingston Environmental as remediation team to complete the task. NLBM will also enroll in the Missouri Department of Natural

Resources Response Program in order to oversee cleanup of the Paseo YMCA (see "C").

2. Cleanup Access: Because adjacent properties will be razed, no plan of access will be necessary in order to conduct cleanup, perform confirmation sampling, nor monitor offsite migration of contamination

F. Cost Share

NLBM will provide its 20% cost share in cash. The source for this funding will be from the NLBM operating account and capital campaign fundraising activities.

Ranking Criteria for Cleanup Grants

A. Cleanup Grant Budget

Budget Categories	Comm. Outreach	Rem. Dsgn	Asbestos	Aviary	Drum Sludge	Combined
Personnel	0		0	0	0	0
Fringe Benefits	0		0	0	0	0
Travel	1500		0	0	0	1500
Equipment	0		0	0	0	0
Supplies	10500		0	0	0	10500
Contractual	0	16968	94560	66975	8142	186645
Other: Air Monitoring, Lab Analysis						9500
Other: Kessinger-Hunter oversight						10267
Other: contingency						3422
Other: cost of Phase I Assessment						4200
Other: grant writer						5000
Other: MDNR oversight						3000
TOTAL:						\$ 234,034
Cost Share by NLBM: 20%						\$ 46,807
Grant Request Amount:						\$ 187,227

Budget Narrative

Community Outreach: As the process of transforming the Paseo Y into the Buck O'Neil Education and Research Center begins, a variety of tools to reach out to the neighboring community and prospective donors will be needed. We will conduct 1) listening sessions with the community about land use and contaminant abatement, 2) meetings to invite and respond to community neighbors and prospective donors inquiries, 3) presentation of plans for end use. We will purchase protective clothing, fencing, guide lights, etc. as needed in the building. We will also purchase poster size and brochure size renderings of

what the completed Center will look like. A DVD tour of the building will be engineered specifically to reflect the vibrant Paseo Y activity in the 1920's, its current dilapidated state and what its renovated future will contribute to the community. These three time frames, past, present and future will be captured in the DVD and used extensively to build enthusiasm throughout the community for a successful project. A limited amount of travel by the imaging professionals will be needed to capture some images needed to complete the DVD virtual tour.

Remedial Design: The Paseo Y project will enroll in the Missouri DNR Voluntary Cleanup Program (VCP) in an effort to exhaust all state-approved remediation action as designed by Kingston. The objective is to attain unrestricted use levels and to minimize exposure to the public. The remedial design will include the abatement of aviary waste, asbestos and sludge removal from the site. VCP fees will cover the cost of MDNR oversight, review and approval of remedial design.

Asbestos: The Phase I Assessment indicates that asbestos has been identified in various building materials throughout the building; particularly in the window caulking, roof flashing and interior ACM.

Aviary Waste: Years of neglect allowed aviary waste to buildup throughout the building. Abatement and removal will be complete.

Sludge: A barrel of sludge has been identified in the basement. The barrel will be drained and the sludge will be disposed of, then the barrel itself will be disassembled and completely removed from the site.

B. Community Need

1. Community statistics:

The most recent census (2000) demographic overview of the 18th and Vine District is fascinating. Of the 56,253 residents, their average age is 35, where nearly 30,000 are women and over 26,000 are men. More than half are single and nearly 28% of them have finished high school, 21% went on to college and 12% achieved a bachelor's degree. Average household income is \$34,000 with nearly half the residents have at least one car.

This is a 40% retirement community where 66% of all residents are renters in houses or apartments, which average \$51,000 in value. Of the housing units, nearly half were built in 1939 or earlier. The recent 2001 addition of 75 new condos and apartments is not reflected in this census data, so the trend toward newer units and upwardly mobile individuals is not apparent. Just this month, plans for a 15,000 sq. foot building and an additional 79 apartments were approved and are projected to cost \$13 million.

In the chart below a summary* of the 18th and Vine District is reflected in census tract 32. The other tracts make up the surrounding communities. As noted, the average unemployment rate is 7.2, the average poverty rate is 20.7 and the minority population makes up nearly 84% of the area. This area is among the neediest in Kansas City.

18th and Vine District (Census Tract 32 and surrounding tracts) Demographics

Tract	Neighborhood	Race	Population	Minority Pop.	Unemployment	Unemployed	Poverty	Poverty Ind.
26		72	25	18	53.8	13	53.8	13
27		55	249	137	10.5	26	30.6	76
31		43	139	60	3.5	5	12.9	18
32		98	465	456	10.3	48	15.5	72
33		95	1015	964	2.9	29	17.3	176
37	Wash-Wheatley	93.3	1917	1789	4.4	84	21.5	412
39	Wendell-Phillips	95.2	1360	1295	6.1	83	25.5	347
41		89	459	409	20.1	92	16.3	75
43		43	1018	438	9.4	96	18.1	184
			6647	5566		476		1373
Average Unemployment			7.2					
Average Poverty			20.7					
Average Minorities			83.7					

*U. S. Census 2000 data from www.factfinder.census.gov

2. Benefits of the grant:

Creating The Buck O'Neil Education and Research Center in the Paseo YMCA facility will double the number of permanent employees of the NLBM from 10 to 20. Based on the measurement criteria developed for "Economic Impacts of Historic Preservation in Missouri" by the Center for Urban Policy Research by Rutgers, the State University of New Jersey, it is expected that rehabilitation/construction work will generate 480 jobs (approx. forty jobs for every \$1 million in work).

In 1914 the Paseo YMCA was built specifically to house black visitors to Kansas City. Formerly segregated both geographically and constitutionally from downtown, the District is now enjoying the economic benefits of an active corridor of development along 18th street running east and west.

In 1990 when the NLBM was founded in a small storefront at 18th and Vine, the District was an area that had been largely abandoned. There was little to no foot traffic, no retail operation, and no new housing nor business development. Since then, the museum has relocated to a state-of-the-art 10,000 sq. ft. facility built in 1997 that it shares with the American Jazz Museum. The 1912 Gem Theatre has been remodeled and is in constant use. Three new restaurants, a jazz club and numerous small businesses are now a part of the District. New apartment buildings along 18th Street boast of 98% occupancy and more are being built to meet brisk demand. Additional parking, an office complex and small retail spaces will break ground this winter. Yet, in a district so long abandoned, there remains much development work to be done.

Because it is the western anchor for the 18th and Vine District and the most historically significant building in the area, it is imperative that the Paseo YMCA be renovated for new uses. The NLBM believes its plan for The Buck O'Neil Education and Research Center is the ideal use for this historic building where the Negro Leagues were founded in 1920. While the district is now a vibrant tourist destination, eyesores like the Paseo Y continue to affect the perception of Kansas Citians and visitors alike. By eliminating the potential health hazards the cleanup grant will immediately benefit the neighborhood. It will also be an important first step to ridding the neighborhood of the threat of vandalism and illegal habitation and the liabilities which accompany such behaviors. The pride and waterfall effect of the presence of a revitalized building will enhance the entire neighborhood and surrounding communities.

3. Impact of the Brownfields:

Cleanup of the Brownfields at the Paseo YMCA is the first step in its renovation to establish The Buck O'Neil Education and Research Center as a part of the Negro Leagues Baseball Museum. Failure to address the remediation required at the Paseo Y jeopardizes the project, which will significantly enhance the entire district.

C. Sustainable Reuse of Brownfields

The project will protect a National Register-listed historic building and enhance The Paseo, which is a major boulevard within Kansas City. By incorporating quality urban design, the project will enhance continuity, compactness, connections, durability, and character, thereby promoting a livable mixed-use neighborhood.

The redevelopment of the YMCA building for use by the NLBM is a "contiguous and logical extension of the existing development patterns" within the 18th and Vine area—in particular, the mixed land use in the adjacent area. As an education facility with assembly space and venues for community activities, it will serve as a Community Anchor located along a major transit corridor. As such, it will act as a catalyst for development and will maximize investment and accessibility. It supports and is compatible with the mixed use found in the adjacent area.

D. Creation and/or Preservation of Greenspace/Open Space or Nonprofit Purpose

The addition of The Buck O'Neil Research and Education Facility will dramatically enhance the value and overall usage of the non-profit organization known as the Negro Leagues Baseball Museum. This grant will enable the first phase of construction, will create the first opportunity for reclamation of abandoned space. What was once the center of activity in the segregated community, will once again spark commerce and foot traffic while paying a special tribute to the past

The cost-efficient and historically well-managed NLBM will incorporate the new research center into its long-term development plan, and the plans of the 18th and Vine District as overseen by the City of Kansas City, Missouri.

E. Community Involvement

1. Targeted Community:

The targeted community includes the 55,000 residents, 40 businesses and their employees, 4 churches with hundreds of parishioners, and cultural center visitors. Because it was the first significant entity to locate in the 18th and Vine District, the NLBM is in some ways the elder statesman of the area. Its long standing reputation as a good neighbor will continue to serve it well throughout the cleanup process.

2. Partnerships with Stakeholders:

Beginning with the FY00 grant from the Save America's Treasures program, the NLBM has actively sought the participation and approval of the surrounding community in this endeavor. Because of its historical significance, the fate of the Paseo Y has been a subject of discussion at numerous city, neighborhood and 18th and Vine meetings. Since the announcement of a \$500,000 HUD/EDI grant, affected neighbors have let us know they are delighted that a local blight will be transformed into a tourist destination.

3. Communicating Progress:

Through the NLBM website, our quarterly newsletter, special events, meetings, presentations and public hearings, it is the intent of the NLBM to continue communication with various affected community groups throughout the cleanup process.

4. Community-based Organizations Involved:

An informational letter was sent, and follow-up calls were made to the following friends and neighbors of The Paseo Y in order to let them know of our ongoing efforts to purchase and renovate the Y. Their input and support is invaluable.

Community Based Organizations

Organization	Contact	Phone
Am. Jazz Museum	Juanita Moore	816-474-8463
Black Chamber of Comm.	Marie Young, ED	816-474-9901
Black Economic Union	Bailus Tate	816-474-1080
Bruce Watkins Cultural Ctr.	Mark Bowland, ED	816-784-4444
Full Employment Council	Clyde McQueen	816-471-2330
Jazz District Red. Corp	Dave Whalen	816-221-1719
KC Chamber of Commerce	Pete Levi	816-374-5422
Mid-America Regional Coun.	David Warm, ED	816-474-4240

F. Reduction of Threats to Human Health and the Environment

1. Reducing Threats to Human Health and the Environment:

Known contaminants identified by the EPA have been detected by Kingston Environmental Services, the company selected by our project development team, Kessinger-Hunter. Grant monies will be used for full remediation as recommended by

Kingston and will kickoff the project. This includes removal and proper disposal of asbestos (interior ACM, window caulking, roof flashing), aviary waste and AST drum removal thereby allowing the renovation to begin.

2. Working with State and/or Local Authority:

We are currently working with the Missouri Department of Natural Resources (Jim Gilstrap), the City of Kansas City, Missouri (Andrew Bracker) and Kessinger-Hunter and Kingston Environmental Services in order to ensure the consideration of public health issues during both the cleanup and development process.

3. Cleanup Plan and Costs:

As the budget suggests, Kingston is prepared to properly address and dispose of the various pollutants that have been discovered. Costs are apportioned to each contaminant as to severity and age and will be disposed of in accordance with EPA standards.

4. Protection of Human Health and the Environment:

In hiring Kingston Environmental Services to oversee all aspects of the cleanup plan, the NLBM has ensured that human health and the environment will be protected. As contracted by NLBM, it is the responsibility of Kessinger-Hunter and Kingston to comply with all federal and state laws.

5. Engineering Controls:

A temporary fence and all standard precautions will be taken by Kingston during the remediation period. The building will be kept locked at all times preventing foot traffic into the contaminated areas until successful treatment. Once the remediation is complete, renovation of the Paseo YMCA will commence.

G. Leveraging of Additional Resources

1. Cleanup and Redevelopment:

Cleanup of the Paseo YMCA is expected to cost \$234,034. The entire project, which will ultimately create a 30,000 sq. ft. office building and library with all necessary appointments, is estimated to cost \$12 million.

2. Identify Funds:

At this time, a HUD/EDI grant application for FY05 is being completed. A capital campaign for the remaining \$11.5 million will begin in January of 2005. Local and national corporations and individuals will be approached for contributions to this not-for-profit campaign. Federal, state and local Historic preservation dollars and tax credits are being identified at this time. It is expected that over 85% of the project funding will come from private sources.

H. Ability to Manage Grants

1. Managing the Grant and Overseeing the Work:

NLBM has hired Kessinger-Hunter and Kingston Environmental Services to ensure that the Brownfields grant will indeed address and correct the current EPA issues. In daily contact with Kessinger-Hunter, NLBM has been assured that Kingston will deliver all necessary expertise needed in the cleanup process and to achieve successful remediation.

2. History of Managing Federal Funds:

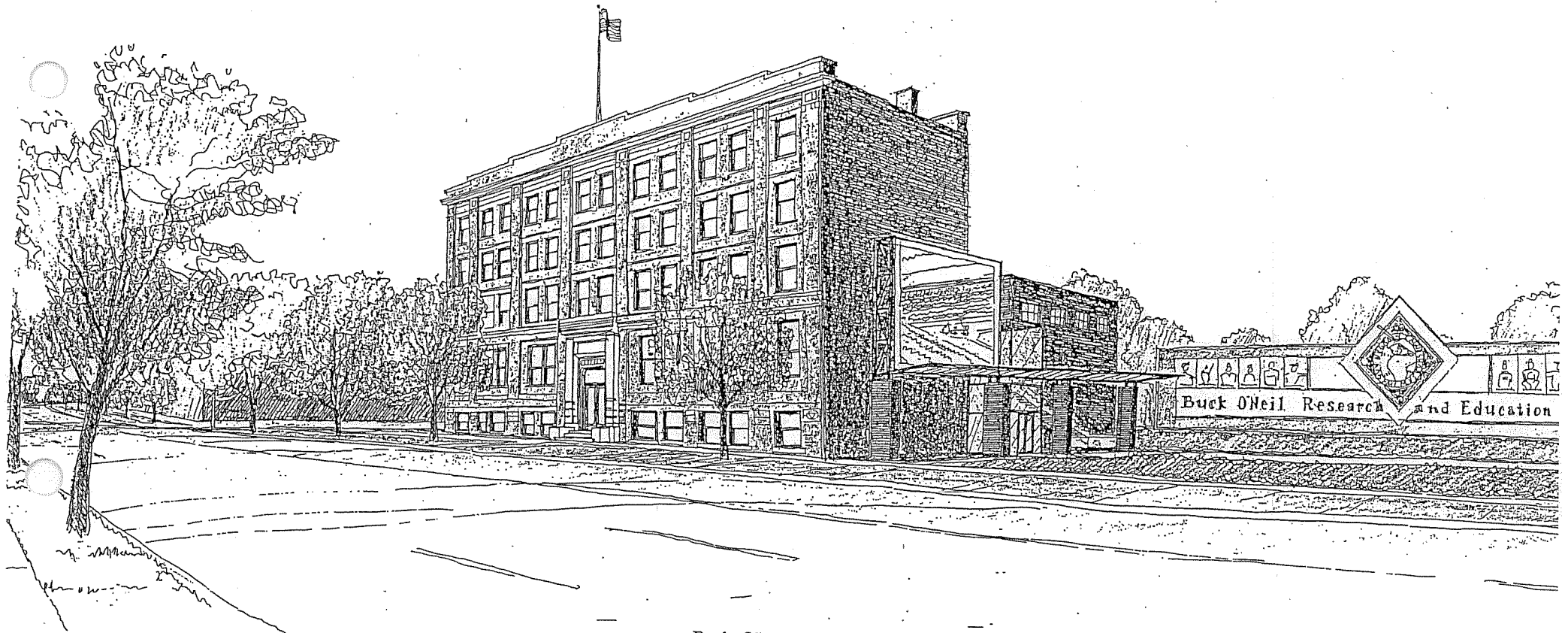
National Trust for Historic Preservation funds (\$12,500) through the *Save America's Treasures* program were obtained in January 2000 to evaluate the likelihood of success in saving and renovating the Paseo Y. These funds were used responsibly and gave encouragement to the NLBM executive board that the Paseo Y project was viable and worth pursuing. Beyond the FY05 HUD/EDI grant being pulled down at this time, no other federal funds have been pursued in the NLBM's 14-year history. We are confident that NLBM and Kessinger-Hunter will use these Brownfield funds in an equally responsible manner.

3. N/A

4. N/A

5. N/A

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Buck O'Neil Research and Education Center
Paseo YMCA Adaptive Reuse Study for the Negro Leagues Baseball Museum
18th and Paseo, Kansas City, Missouri
HNTB Architecture

VIEW FROM PASEO OF PROPOSED PROJECT

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P O BOX A-3290 DPN 22-2
CHICAGO, IL 60690

DEPARTMENT OF THE TREASURY

Date: JUN 13 1995

NEGRO LEAGUES BASEBALL MUSEUM INC
C-O W LLOYD JOHNSON
C-O DEWITT SMALLWOOD
1601 EAST 18TH ST SUITE 260
KANSAS CITY, MO 64108-1644

Employer Identification Number:
43-1570612

Case Number:
365152087

Contact Person:
RUTHANN WATTS

Contact Telephone Number:
(414) 798-8587

Addendum Applies:
No

RECEIVED

JUN 20 1995

NEGRO LEAGUES
BASEBALL MUSEUM

Dear Applicant:

Based on the information you recently submitted, we have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in 501(c)(3) is still in effect.

This classification is based on the assumption that your operations will continue as you have stated. If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status.

This supersedes our letter dated April 15, 1995.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, you should keep it in your permanent records.

"B"

-2-

NEGRO LEAGUES BASEBALL MUSEUM INC

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours

Marilyn W. Day

Marilyn W. Day
District Director

Letter 1078 (DO/CG)



Bob Holden, Governor • Stephen M. Mahfood, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

November 10, 2004

Mr. Don B. Motley
The Negro Baseball League Museum
1616 East 18th Street
Kansas City, MO 64108

RE: Small Business Liability Relief and Brownfields Revitalization Act (Act)
Environmental Protection Agency (EPA) Grants

Dear Mr. Motley:

Please allow this letter to confirm acknowledgment by the Missouri Department of Natural Resources of The Negro Baseball League Museum's intention to apply to EPA for funding as authorized under the above-referenced Act. I further understand and acknowledge that, if successful in its grant application, The Negro Baseball League Museum, or any of its constituent agencies or agents intends to utilize such funds for eligible purposes pursuant to the above-referenced Act.

Of course, we require that each site enroll separately in the Brownfields/Voluntary Cleanup Program should The Negro Baseball League Museum desire the benefits of that program. Nothing in this letter should be construed as automatic acceptance of the sites; standard enrollment procedures still apply.

Sincerely,

HAZARDOUS WASTE PROGRAM

A handwritten signature in black ink, appearing to read "Jim Belcher", followed by a small "for" written in cursive.

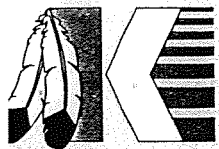
Jim Belcher, Chief
Brownfields/Voluntary Cleanup Section

JB:ph

Integrity and excellence in all we do



"C"



**KINGSTON
ENVIRONMENTAL**
S E R V I C E S

5450 Hangar Road
Kansas City, MO 64147
816) 524-8811
800) 249-8811
FAX (816) 525-5027
www.kingstonenv.com

October 8, 2004

Phase I Environmental Site Assessment of:

Former YMCA Building and Gas Station Property
Southwest Corner of 18th Street and The Paseo
Kansas City, Missouri 64108

Prepared for:

Mr. Daniel Jensen
Kessinger/Hunter and Company
2600 Grand Boulevard – Suite 700 Kansas City,
Missouri 64108

Prepared by:

Kingston Environmental Services
File Number 04-4343

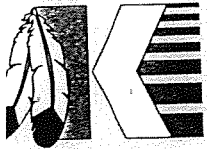
Date of Inspection:

September 30, 2004



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"D"



KINGSTON ENVIRONMENTAL SERVICES

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October 8, 2004

Mr. Daniel Jensen
Kessinger/Hunter and Company
2600 Grand Boulevard – Suite 700
Kansas City, Missouri 64108

Re: Former YMCA Building and Gas Station Property
Southwest Corner of 18th Street and The Paseo
Kansas City, Missouri 64108
File Number: 04-4343

Dear Mr. Jensen:

A Phase I Environmental Site Assessment (Assessment) of the above-referenced property was conducted by Mr. William Busch of Kingston Environmental Services (KES) on September 30, 2004. The results are representative of the conditions evaluated on the date of the inspection.

Executive Summary

As of the date of this report, a written response to KES's agency inquiries has not been received from the United States Environmental Protection Agency (USEPA). However, copies of federal and state information systems from which the eventual responses will be derived have been reviewed and summarized during the course of an environmental data review which was conducted of the subject property and its vicinity by Environmental Data Resources, Inc. (EDR) of Milford, Connecticut.

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 as amended of the Former YMCA Building and Gas Station Property located at the Southwest Corner of 18th Street and The Paseo in Kansas City, Missouri, the property. Any exceptions to, or deletions from, this practice are described in the *Deviations* section of this report. This assessment has revealed the following evidence of a recognized environmental condition in connection with the subject property.

A gas station was developed on the north portion of the subject property circa 1965. The gas station was operated under various names, including Pacer Oil Company, Vickers Oil Company, and Total Petroleum. The station is currently vacant, and has reportedly been vacant for less than a year. Prior to closing, the station utilized four (4) 10,000-gallon gasoline USTs. MDNR records indicate the USTs were installed in 1985, and that supply piping was replaced in 1997. Documentation acquired from the MDNR indicated these USTs were removed in early 2003 (initiated January 31, 2004 and completed March 20, 2004). The documentation also indicates subsurface contamination was encountered during the removal of the USTs and that approximately 1,347 tons of impacted subsurface material was removed from the site and disposed, as were dispenser pumps and supply piping. Although the EDR database review indicates the facility is not listed as an MDNR Leaking UST (LUST) site, documentation provided by the MDNR indicates that a site characterization work plan, consisting of up to 16 soil borings and installation of up to six groundwater monitoring wells, was received from Total Petroleum Incorporated (TPI) in February 2004. Although groundwater monitoring wells were observed on the subject property during the current site inspection, it is not known if these wells are the aforementioned proposed monitoring wells. According to a representative of the MDNR, the site is listed as a LUST site. According to the MDNR representative, the site was listed as a LUST site in October 2003, and that the affected medium is soil.

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Remediation has consisted of tank closure and excavation of contaminated soil. No additional information was found regarding on-site contamination associated with this facility. No specific information was found regarding the USTs presumably utilized by the gas station prior to the installation of the above-discussed USTs which were installed in 1985 and removed in 2003. Although it is likely that USTs presumably used by the station prior to 1985 were removed and replaced with the aforementioned USTs, this was not confirmed.

Commercial buildings such as the south subject building (former YMCA Building) sometimes utilized heating oil tanks for the operation of boiler systems. Although no documented evidence was observed which indicated the past presence of USTs or ASTs on the subject property, a short, protruding pipe and a capped floor feature of unknown nature were observed in the east portion of the lower level of the building. The pipe protrudes from the floor near the capped floor feature. Although these features do not appear to be associated with the presence of a UST, the nature of these features was not determined.

Substantial amounts of pigeon waste (excrement) were observed within the YMCA Building. The presence of this waste may pose a potential human health concern, due to mold and other respiratory irritants that may be associated with the waste.

A limited area of dark staining was observed on the floor of a lower-level storage room. Although the source of this staining was not determined, the stained area is located adjacent to two bags of lime and a bag of silica stored in this room. The staining exhibited no notable petroleum or chemical odor.

Several one-gallon cans of paint and an empty one-quart paint thinner container were observed in the second-floor hallway of the YMCA Building, as well as in an adjacent room on the second floor. In addition, a metal drum which appears to be empty was observed in the swimming pool of the YMCA Building. The drum is unlabeled, and the origin or nature of the drum was not determined. No staining or other evidence was observed of the notable release or improper disposal of materials from these containers.

The south portion of the subject property was developed with the two single-family residences and associated outbuildings sometime prior to 1896. Additional residences were constructed in this area sometime between 1896 and 1909. The residences and outbuildings were present until at least 1909. The middle portion of the property (i.e. the area between the YMCA Building and the vacant gas station) was developed with several single-family residences sometime prior to 1896. Additional residences were constructed in this area sometime between 1896 and 1909. The residences were present until at least 1909, but were gone by 1925. The past presence of residences on the subject property suggests the possible past use of on-site septic systems. However, this is speculative, and no evidence was observed of septic systems on the subject property. Furthermore, it is likely that the construction of the YMCA Building on the south portion of the subject property would have resulted in the encounter and removal of any septic systems that were formerly associated with the residences on the south portion of the subject property.



Regarding the subject property's LUST site:

1. Subsurface contamination on the property should be acknowledged, and the status of the site should be monitored through contact with the MDNR and responsible parties. Remediation activities should continue until the site has been remediated to the satisfaction of the MDNR.
2. If the client requires greater comfort regarding the possible presence of older (pre-1985) USTs on the property, further investigation should be performed to determine if any such USTs are present. Such investigation may include contact with responsible parties and/or their contractors, or on-site investigation such as exploratory probes or magnetometer survey.

Regarding the floor features in the lower level of the YMCA Building:

3. The nature of the protruding pipe and capped floor feature in the east portion of the lower level of the former YMCA Building should be determined through further investigation. If the features are determined to be associated with a fuel oil UST, the UST should be properly closed in accordance with MDNR regulations.

Regarding the pigeon waste:

4. The pigeon waste should be removed and interior areas thoroughly cleaned prior to any renovation, demolition or human occupancy of the building.

Regarding the area of staining in a lower-level storage room:

5. The area of surface staining should be cleaned and removed, and the resulting waste should be properly disposed. If the staining appears to migrate beyond an area that might be reasonably anticipated with minor release or spillage, further investigation or sampling should be performed to determine the extent of contamination.

Regarding the cans of paint, and the drum:

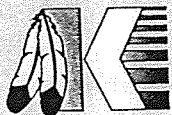
6. The paint containers observed on the second floor of the YMCAA Building, as well as the drum observed in the swimming pool of the building, should be removed and properly disposed.

Regarding the possible presence of abandoned residential septic systems:

7. In the event that septic systems are encountered during future development activities on the subject property, the septic systems should be properly removed.

This Executive Summary serves as a summary of the Phase I Assessment that was performed on the subject property, and does not necessarily include all of the information that is found in the body of the following report. Therefore, the report should be read in its entirety to obtain a more complete understanding of the information provided and to assist in any decisions made, or actions taken, based on this information.

We appreciate the opportunity to provide this service. If you should have questions, please do not hesitate to call.



Qualifications of Environmental Professionals Participating in Phase I Environmental Site Assessment

Robert H. Slater, ENVIRONMENTAL ASSESSMENT DIVISION MANAGER

Graduate of DeVry Institute of Technology with a Bachelor's of Science Degree in Computer Information Systems. Mr. Slater has worked in the Phase I Environmental Assessment field since 1995, assembling and reviewing over 1,200 Phase I Environmental Assessment Reports. He is responsible for the bidding, scheduling, review and production of all Phase I Environmental Assessment reports, as well as reports produced by Kingston's Compliance Division. He has independently conducted Phase I Environmental Assessments varying from vacant land and multi-family residential structures to commercial properties and convention centers, as well as conducting numerous Federal and State database information reviews. Mr. Slater also obtains and interprets current and historical aerial photographs, United States Geological Survey (USGS) topographic maps, historical Sanborn Fire Insurance Maps and United States Department of Agriculture (USDA) Soil Conservation Service soil surveys. He also conducts extensive property historical reviews and obtains and reviews property chain-of-title. Mr. Slater also assists Phase II and Laboratory personnel in various tasks related to Phase I Environmental Assessments. Prior to joining Kingston, Mr. Slater worked for ten years in the banking industry at various financial institutions in Kansas and Missouri, including familiarity with commercial and personal loans. A majority of these transactions required Phase I Environmental Assessments and knowledge of their use. AHERA Accredited in Inspection for Asbestos Control.

William E. Busch, ENVIRONMENTAL SPECIALIST

Graduate of the University of Kansas with a Bachelor's degree in Environmental Studies with an emphasis on land use. Prior to joining Kingston Environmental Services, Mr. Busch was employed by Pace Laboratories, Inc., where he worked in the wet lab, metals analysis, and industrial hygiene departments. His experience in metals analysis includes use of atomic absorption and inductively coupled plasma (ICP) systems. His experience in industrial hygiene includes knowledge of asbestos fiber count techniques using phase contrast microscopy (PCM), participation in asbestos inspections, ventilation surveys, and various air monitoring operations. AHERA Accredited in Inspection for Asbestos Control.

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